

MAY-18-04 07:54PM FROM-Rob

RECEIVED
CENTRAL FAX CENTER

OFFICIAL

3731

T-903 P.001 F-818

MAY 18 2004

FRANK J. UXA, JR.*
ROBERT D. BUYAN*
DONALD E. STOUT
KENTON R. MULLINS
JO ANNE M. YBAREN
LINDA ALLYSON FOX
GREG S. HOLLRIGEL, Ph.D.**
LOUISE S. HEDM**

LAW OFFICES OF
STOUT, UXA, BUYAN & MULLINS, LLP

4 VENTURE, SUITE 300
IRVINE, CALIFORNIA 92618
(949) 450-1750
FACSIMILE: (949) 450-1764

PATENTS, TRADEMARKS,
COPYRIGHTS, AND RELATED
INTELLECTUAL PROPERTY
MATTERS

GORDON L. PETERSON (Retired)

*PROFESSIONAL CORPORATION

**REGISTERED PATENT AGENT

OUR FILE NO.

MCRVT-023C

FACSIMILE COVER SHEET

Date: May 18, 2004

To: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile: 703-872-9306

Re: U.S. Patent Application No. 09/758,832
Applicant: Horton
Title: Insitu Formable and Self-Forming Intravascular Flow Modifier (IFM), Catheter
and IFM Assembly and Method for Deployment of Same

From: Robert D. Buyan

Total Number of Pages: 30 (including this form). Please notify us immediately if you have not received all pages.

Message:

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence for Serial No. 09/758,832 is being facsimile transmitted to the Mail Stop Amendment, Commissioner for Patents at (703) 872-9306 on May 18, 2004.

Name of person sending facsimile: Robert D. Buyan

Signature: 

Reg. No. 32,460

PRIVACY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address. Thank you.

Attorney Docket No.: MCRVT-023C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Horton)	
)	Art Unit: 3731
Application No. 09/758,832)	
)	Examiner: Thaler, M.
Filed: January 11, 2001)	
)	
For: Insitu Formable and Self-Forming)	
Intravascular Flow Modifier (IFM),)	
Catheter and IFM Assembly, and Method)	
<u>for Deployment of Same</u>)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmittal Letter

Dear Sir:

- ☒ In accordance with Rule 136, the Commissioner is hereby petitioned for a **three (3)** month extension of time, extending to **May 18, 2004** the period for response to the Office action dated **June 23, 2004**. The Commissioner is authorized to deduct fees from Deposit Account No. 50-0878.
- ☐ Enclosed is a certified copy of Serial No. _____ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☒ Enclosed is a Declaration of Jay Alan Lenker, Ph.D. Pursuant to 37 C.F.R. § 1.132
- ☒ Enclosed herewith is a amendment/response for filing in relation to the above-identified application. Entry and consideration of this amendment/response is requested.

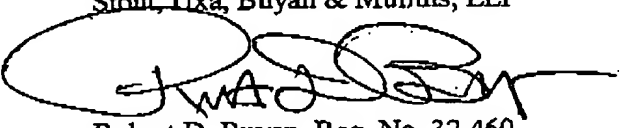
- ☐ Check No.---- is enclosed covering the additional filing fees in the amount of \$0.00, with the fees calculated as follows:

	(Col. 1) Claims Remaining After Amendment	(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra	Small Entity Additional Rate Fee	Other than a Small Entity Additional Rate Fee
Total claims	16	- 20 =	0	x 9 \$	Or x 18 \$
Independent claims	2	- 2 =	0	x 42 \$	Or x 84 \$
First presentation of multiple dependent claims				+ 140 \$	Or + 280 \$
				Total \$	Or Total \$

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.

Respectfully submitted,
Stout, Lixa, Buyan & Mullins, LLP

Date: May 18, 2004


Robert D. Buyan, Reg. No. 32,460

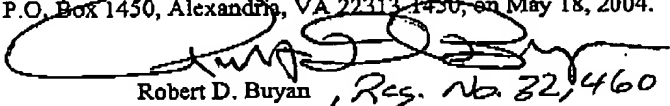
4 Venture, Suite 300
Irvine, CA 92618
Telephone: (949) 450-1750; Facsimile: (949) 450-1764
email: rbuyan@patlawyers.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9306 addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 18, 2004.

Dated: May 18, 2004

By:


Robert D. Buyan, Reg. No. 32,460

MAY 18 2004

Appl. No. 10/151,350
Reply to Office Action of November 18, 2003

OFFICIAL

Attorney Docket No. MCRVT-023C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Horton, et al.)

Art Unit: 3731

Application No. 09/758,832)

Examiner: Thaler, M.

Filed: January 11, 2001)

For: Insitu Formable and Self-Forming)
Intravascular Flow Modifier (IFM) and)
IFM Assembly for Deployment of Same)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action dated November 18, 2003, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims begins on page 3 of this paper.

Remarks/Arguments begin on page 16 of this paper.